

Applicant : John L. Margrave *et al.*
Serial No. : 09/809,885
Filed : March 16, 2001
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Attorney's Docket No.: 21753-013003

Remarks

Claims 54-58, 67, 68 and 76-78 are pending in the Application.

Claims 54-58, 67, 68 and 76-78 stand rejected.

I. NONSTATUTORY DOUBLE PATENTING REJECTION

The Examiner has rejected Claims 54-58, 67, 68 and 76-78 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 30, 31, 37 and 38 of United States Patent No. 6,645,455, issued November 11, 2003, to Margrave *et al.* ("the '455 Patent"). Office Action, at 2.

Applicant respectfully traverses this rejection. However, to facilitate prosecution of the Application, Applicant hereby responds with the enclosed Terminal Disclaimer to moot this obviousness-type double patenting rejection. Therefore, this obviousness-type double patenting rejection is now moot.

II. CONCLUSION

As a result of the foregoing, it is asserted by Applicant that the Claims in the Application are now in a condition for allowance, and respectfully requests allowance of such Claims.

Applicant believes that it has concurrently herewith paid all fees required with this amendment and that no further fees are due. However, should any further fees be required, the Commissioner is authorized to charge such fees to Deposit Account No. 06-1050. Please reference Attorney Docket No. 21753-0013003.

Applicant respectfully requests that the Examiner call Applicant's attorney at number listed below if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

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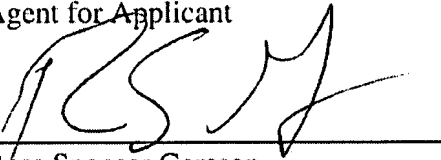
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Respectfully submitted,

FISH & RICHARDSON P.C.

Agent for Applicant

By: _____


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